IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

PARKDALE AMERICA, LLC and)
PARKDALE MILLS,)
INCORPORATED,)
Plaintiffs,))
VS.) Civil Action No. 3:06CV78-MU
)
TRAVELERS CASUALTY AND)
SURETY COMPANY OF AMERICA,)
Defendant.))

PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCOVERY AND IN SUPPORT OF PLAINTIFFS' MOTION FOR PROTECTIVE ORDER

FILED SEPARATELY UNDER SEAL PURSUANT TO 9/14/06 ORDER ENTERED BY THE HONORABLE GRAHAM C. MULLEN

CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2006, I electronically filed <u>under seal</u> the foregoing **PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCOVERY AND IN SUPPORT OF PLAINTIFFS' MOTION FOR PROTECTIVE ORDER; DECLARATION OF STEPHEN P. MURPHY and DECLARATION OF AMY CATTON with exhibits** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following: **stephen.allred@hmw.com; jack.cobb@hmw.com; sstern@rdblaw.com; csimon@rdblaw.com; cmarshall@rdblaw.com; mwerner@rdblaw.com;**

I hereby certify that on December 8, 2006, served complete copies of the foregoing PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCOVERY AND IN SUPPORT OF PLAINTIFFS' MOTION FOR PROTECTIVE ORDER; DECLARATION OF STEPHEN P. MURPHY and DECLARATION OF AMY CATTON with exhibits via U.S. Mail to the following: stephen.allred@hmw.com; jack.cobb@hmw.com; sstern@rdblaw.com; csimon@rdblaw.com; cmarshall@rdblaw.com; mwerner@rdblaw.com;

and I hereby certify that I have mailed the document to the following non-CM/ECF participants: **none.**

Respectfully submitted,

s/Susan H. Boyles

Susan H. Boyles, N.C. State Bar # 20877 KILPATRICK STOCKTON LLP 1001 West Fourth Street Winston-Salem, North Carolina 27101 Telephone: (336) 607-7300

E-Mail: sboyles@kilpatrickstockton.com

Attorney for Plaintiffs
Parkdale America, LLC and
Parkdale Mills, Incorporated